

Control No. 20__ - __
Recording Requested by
and when Recorded, return to:

CITY OF MILPITAS
455 E. CALAVERAS BOULEVARD
MILPITAS, CA 95035-5479

Attn: City Clerk

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

Document Transfer Tax is \$ __0__

() Computed on full value of property conveyed

() Computed on full value less value of liens and encumbrances remaining

City transfer tax is \$ __0__

APN: _____

STORMWATER MANAGEMENT FACILITIES OPERATION AND MAINTENANCE AGREEMENT

This Stormwater Management Facilities Operation and Maintenance Agreement ("AGREEMENT") is made and entered into this ____ day of _____, 20__ ("Effective Date"), by and between **Shapell Norcal Rental Properties**, LLC, a **Delaware** Limited Liability Company ("Property Owner") and the City of Milpitas, a municipal corporation of the State of California ("City").

RECITALS

This AGREEMENT is made and entered into with reference to the following facts:

WHEREAS, the Property Owner is the owner of real property more particularly depicted and described on the attached as **Exhibit A** ("Property") and fully incorporated herein by reference; and

WHEREAS, on February 26, 2015, the Planning Department approved the construction of minor site development for Orchard Supply Hardware (OSH) allowing for remodel and ADA upgrades and associated on-site and off-site improvements, landscaping, irrigation, and stormwater treatment measures on a 0.79-acre site of Orchard Supply Hardware (OSH) located at 125 North Milpitas Boulevard in Milpitas and more commonly known Orchard Supply Hardware, Project No. PJ1097 (the "Project") on the Property; and

WHEREAS, the City's Stormwater and Urban Runoff Pollution Control Ordinance as codified in Milpitas Municipal Code Chapter 16 ("Ordinance"), Section XI-16-7 and the conditions of approval for the Project require proper installation, operation and maintenance of Permanent Stormwater Pollution Prevention Measures (BMPs) on the Property as part of the Project; and

WHEREAS, the City has approved the Stormwater Control Plan for the Project attached hereto as **Exhibit B** and fully incorporated herein by reference requiring the Property Owner to properly construct, operate and maintain the BMPs at its sole cost and expense; and

WHEREAS, the Stormwater Pollution Plan attached hereto as **Exhibit B** may be subsequently modified from time to time with City's written approval and such changes shall be fully incorporated as part of this Agreement by this reference; and

WHEREAS, the Stormwater Control Operation and Maintenance Plan as part of the Stormwater Pollution Plan includes an annual inspection checklist for the BMPs constructed on the Property, and

WHEREAS, this Agreement memorializes the Property Owner's maintenance, operations, and inspection obligations under the City's Ordinance and the approved Stormwater Pollution Plan.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

Responsibility for Operation and Maintenance: The Property Owner, at its sole cost and expense, shall make available copies of the approved Stormwater Control Plan and approved Stormwater Control Operation and Maintenance Plan (hereinafter the "Plans") at the site with the facility or property manager and, at its sole cost and expense, shall maintain the BMPs in good working condition acceptable to the City for the life of the Project, and in compliance with the Ordinance and the approved Plans, and as required by the State Municipal Regional Permit (MRP).

SECTION 2

Inspection by Property Owner: The Property Owner, at its sole cost and expense, shall conduct annual inspections during the month of September or October of each year. The annual inspection report shall include completion of the checklist described in the approved Stormwater Operation and Maintenance Plan. The BMPs must be inspected by a qualified independent inspector who is acceptable to the City. The Property Owner shall submit the Inspection Report on these BMPs to the City Engineer within thirty (30) days after each inspection. The Annual Inspection Report submitted shall be accompanied by a nonrefundable processing fee per the City's standard fee schedule.

SECTION 3

Facility Inspection by the City: The Property Owner grants permission to the City, its authorized agents and employees, to enter the Property, and to inspect the BMPs whenever the City deems necessary to enforce provisions of the City's Stormwater and Urban Runoff Pollution Control Ordinance, this Agreement, or any other local or state requirements. The City may enter the premises at any reasonable time to inspect the premises and BMP operation and maintenance, to inspect and copy records related to storm water compliance, and to collect samples and take measurements. Whenever possible, the City will provide notice prior to entry. The Property Owner shall deposit and maintain a Private Job Account with the City a minimum balance of Four Thousand Dollars (\$4,000.00) for inspection by City Staff pursuant to this Section 3. The deposit of Four Thousand Dollars (\$4,000.00) shall be made simultaneously with the execution of this Agreement.

SECTION 4

Failure to Perform Required Facility Repairs or Maintenance by the Property Owner: If the Property Owner, or its successors fail to operate and maintain the BMPs in good working order and in accordance with the approved Plans and the City's Ordinance, the City, with prior notice, may enter the Property to return the BMPs to good working order. The City is under no obligation to maintain or repair the BMPs, and this Agreement may not be construed to impose any such obligation on the City. If the City, under this Section 4 takes any action to return the BMPs to good working order, the Property Owner shall reimburse the City for all the costs and expenses incurred by the City. The City will provide the Property Owner with an itemized invoice of the City's costs and expenses and the Property Owner shall make full payments to the City within thirty (30) days of the date of the invoice. If the Property Owners fails to pay the invoice within thirty (30) days, the City may secure a lien against the real property of the Property Owner in the amount of such costs and expenses. This Section 4 does not prohibit the City from pursuing other legal recourse against the Property Owner.

SECTION 5

Successors and Assigns: This Agreement applies to the Property Owner and its successors. This agreement runs with the land and imposes a continuing obligation on anyone who owns the Property. Upon transfer of the property, the Property Owner shall provide the new owner with the current Plans and a copy of this Agreement.

SECTION 6

Indemnity: The Property Owner indemnifies and holds harmless the City and its authorized agents and employees for any and all damages, accidents, casualties, occurrences or claims against the City which may in anyway arise or relate to the construction, operation, presence, existence or maintenance of the BMPs, or from any personal injury or property damage that may arise or relate from the City entering the property under Section 4. If a claim is asserted against the City, its authorized agents or employees, the City shall promptly notify the Property Owner and the Property Owner shall defend the claim and any resulting litigation at its sole cost and expense. If any judgment is entered against the City, or its authorized agents or employees, the Property Owner must pay all costs and expenses to satisfy the judgment.

SECTION 7

Severability: Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

SECTION 8

Non-Discrimination: The Property Owner shall not discriminate, in any way, against any person on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin, in connection with or related to the performance of this Agreement.

SECTION 9

Governing Law: City and Property Owner agree that the law governing this AGREEMENT shall be that of the State of California.

SECTION 10

Compliance with Laws: The Property Owner shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local governments. Without limiting the generality of the preceding sentence, CONSULTANT shall comply with the provisions of CITY's Business Tax Ordinance in the Milpitas Municipal Code.

SECTION 11 **BOOKS AND RECORDS.**

- A. The Property Owner shall maintain any and all ledgers, books of account, invoices, vouchers, cancelled checks, and other records or documents evidencing or relating to charges for services, or expenditures and disbursements or in anyway relating to the performance of this Agreement for a minimum period of three (3) years, or for any longer period required by law.
- B. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit at no cost to City, at any time during regular business hours, upon written request by the City Attorney, City Manager, or a designated representative of any of these officers. Copies of such documents shall be provided to City for inspection at City Hall when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records shall be available at the Property Owner's address indicated for receipt of notices in this Agreement.

SECTION 12

Notices: All notices and other communications required or permitted to be given under this Agreement shall be in writing and shall be personally served or mailed, postage prepaid and return receipt requested, addressed to the respective parties as follows:

To CITY:

City of Milpitas (Department)
Attn: Contact Name
455 East Calaveras Blvd.
Milpitas, CA 95035

To PROPERTY OWNER:

c/o Shapell Properties, Inc.
8383 Wilshire Blvd., Suite 700
Beverly Hills. Ca 90211
Attn: Corporate Counsel

Notice shall be deemed effective on the date personally delivered or, if mailed, three (3) days after deposit in the mail.

SECTION 13

Venue: In the event that suit shall be brought by either party to this contract, the parties agree that venue shall be exclusively vested in the state courts of the County of Santa Clara, or if federal jurisdiction is appropriate, exclusively in the United States District Court, Northern District of California, San Jose, California.

SECTION 14

Interpretation, Prior Agreements: This Agreement, including all Exhibits attached hereto, represents the entire understanding of the parties as to those matters contained herein. In the event that the terms specified in any of the Exhibits attached hereto conflict with any of the terms specified in the body of this Agreement, the terms specified in the body of this Agreement shall control. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may be modified only by a written amendment duly executed by the parties to this Agreement.

PROPERTY OWNER'S NAME:

SHAPELL NORCAL RENTAL PROPERTIES, LLC, a DELAWARE limited liability company

By: SHAPELL PROPERTIES, Inc., a DELAWARE corporation, Its Manager

BY: _____


~~Name, President~~ JOHN A. LOVE, VICE PRESIDENT

Address for Notices: 8383 WILSHIRE BLVD. SUITE 700
street, Suite #
city, CA zip BEVERLY HILLS Ca 90211

CITY OF MILPITAS, A MUNICIPAL CORPORATION:

By: _____

City Engineer's recommendation for approval

By: _____

City Attorney as to form

By: _____

City Manager

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

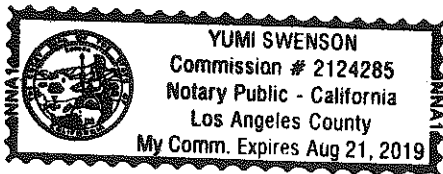
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Los Angeles)
 On 5/5/2016 before me, Yumi Swenson, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared John A. Love
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Yumi Swenson
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

EXHIBIT A
Legal description and Plat Map

REAL PROPERTY SITUATED IN THE CITY OF MILPITAS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL OF PARCEL 1, AS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD ON SEPTEMBER 30, 1982 IN BOOK 504 OF MAPS, AT PAGES 42 AND 43,. , Santa Clara County Records

EXHIBIT B
Stormwater Control Plan

STORMWATER CONTROL PLAN
for
ORCHARD SUPPLY HARDWARE – MILPITAS
125 N. MILPITAS BLVD
REMODEL AND ADA UPGRADES

December 04, 2014

Revised November 3, 2015

Revised February 9, 2016

prepared for:

OPPIDAN

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I. PROJECT DESCRIPTION

A. PROJECT LOCATION AND DESCRIPTION

The project site as shown in Attachment K (Vicinity Map) is located at 125 N Milpitas Blvd, Milpitas, CA 95035. The site is bound by N Milpitas Boulevard to the east, by residential buildings to the north/west, and by Beresford Court to the south. The parcel consists of the existing Orchard Supply and Hardware retail store surrounded by asphalt parking and other small retail stores. The existing landscaping is limited to parking islands and along frontage street N Milpitas Boulevard and Beresford Court.

B. ASSESSOR'S PARCEL NUMBER

The project consists of one parcel listed as follows:

- a. APN 028-22-016

C. PROJECT TYPE AND CLASSIFICATION

The project is currently zoned TC (Town Center) and is being used for retail space.

The project proposes to provide tenant improvements to the existing space with improvements to the interior and exterior, replace Nursery slab, proposed bioretention area, and ADA improvements, as well as new landscaping for sidewalks.

D. POLLUTANTS OF CONCERN

The anticipated pollutants will include petroleum hydrocarbons and heavy metals from automobile traffic within the parking lots, and trash and sediment.

E. NEAREST WATER BODIES

The storm water run-off is collected via an on-site storm drainage system that discharges into the City of Milpitas storm drain system located within N Milpitas Blvd and Beresford Ct.

According to the City of Milpitas Storm Master Plan, the city storm drain system discharges downstream into Wrigley Creek.

II. HYDROMODIFICATION APPLICABILITY DETERMINATION

A review of the HM Applicability Map for the City of Milpitas indicates that the project site is not subject to HM requirements, and that it is excluded from utilizing infiltration devices.

III. EXISTING SOIL CONDITIONS

The existing soil conditions have a saturated hydraulic conductivity (Ksat) that will prevent infiltration of 80% of annual runoff. The soil properties map in Attachment D indicates the Ksat ranges of the project site, which is between 0.0 to 0.1 inches/hour.

IV. FEASIBILITY OF INFILTRATION

Santa Clara Valley Pollution Prevention Program demonstrates that the project site is infeasible for constructing infiltration improvements. This project is exempted from feasibility of infiltration.

V. FEASIBILITY OF RAIN-HARVESTING AND REUSE

Based on calculations shown in Attachment A, the potential rainwater capture area is over 17,200 square feet of impervious surface. The proposed interior floor area per acre is less than 70,000 square feet of impervious surface. According to Attachment B, constructing a rain-harvesting device is infeasible. Instead, a bioretention area will be installed in the project site.

VI. SITE CONSTRAINT AND BMP MEASURES

Based on the calculations shown in Attachment A for the existing and proposed impervious/pervious areas, the project site is creating/replacing 17,000 square feet of impervious surface. BMPs were selected based on site conditions and infiltration/harvesting feasibility studies.

The BMP sizing calculations in Attachment F identifies the areas associated with the BMP measure based on their flow requirements and weighted run-off coefficients.

A. BIORETENTION AREAS

The bioretention best management practice functions as a soil and plant-based filtration device that removes pollutants through a variety of physical, biological, and chemical treatment processes. These facilities normally consist of an engineered planting soil mix, ponding area, plants, and an under drain system. The runoff's velocity is reduced by passing over or through an energy dissipating cobble or rip rap and subsequently distributed evenly along a ponding area. Stored water in the bioretention area infiltrates into the underlying soils and is collected by a subdrain and conveyed to the storm drain. This project is treated via a bioretention system. See Attachment G for the location of the proposed watershed & bioretention area. All required bioretention areas are equal to 4% of the impervious area within the contributing watershed area.

B. LABELING OF STORMWATER INLETS

Storm water inlets will be labeled with the logo "No Dumping/Flows to Bay". This educational measure is intended to prevent unlawful dumping of waste materials such as motor oil or trash into the inlets.

D. INTEGRATED PEST MANAGEMENT

Alternative methods for pest reduction methods will be employed to limit the usage of pesticides. Method includes the incorporation of planting materials. Owner and maintenance staff shall review and adhere to the Landscape Maintenance Techniques for Pest Reduction.

VII. SITE DESIGN FEATURES

The project activity will minimize land disturbed, impervious surfaces, and impact on streets or parking lot designs. The course of the project will include outdoor material storage protection, maintenance, storm drain labeling, and installing a bioretention area.

VIII. POST CONSTRUCTION BMP MAINTENANCE AND SOURCE CONTROL

A. SPILL RESPONSE PROCEDURES

- Purchase, maintain and use the proper absorbent for cleanup of different spills (absorbent materials).
 - Use rags for small spills
 - Use absorbents for large spills
- Keep handy and use drain mats or plugs to cover or temporarily block the inlet to the storm drains in order to prevent spilled fluids from entering storm drains, and to help contain spilled fluids for clean up.
- Know the type of material that is kept at your facility and the procedures that are necessary to clean the material up if a spill should occur.
- Conduct regular training for your employees on how to respond to a spill.
- Prepare a clean up plan. The plan should be posted in a very visible place.
- Clean up spills with dry absorbent materials (i.e. kitty litter) to soak up the liquids. Use absorbent "snakes" as temporary booms to contain a liquid while you clean it up. Sweep up the used absorbent and snakes and dispose of them properly. Or, use a wet/dry shop vacuum cleaner to collect spills and dispose of the liquid. Do not use vacuums for gasoline, solvents, or other volatile fluids because of the explosive hazards.

B. PREVENTIVE MAINTENANCE OF STRUCTURAL BMPs

Regular maintenance, sweeping, and trash pick-up from the parking and landscaping areas will be employed to decrease the incidence of solids and pollutants entering into the on-site storm drainage system.

C. MATERIALS HANDLING AND STORAGE

No outside storage of materials is anticipated or allowed. Materials handling will only be allowed for normal business operations for retail use. No car washing will be allowed within the project site. No vehicle storage will be anticipated on-site.

D. EMPLOYEE TRAINING PROGRAM

Name of Party or Agency/Company responsible for training: _____		
If different from above, identify party responsible for training and attach to this report.		
Address: _____		
Phone: (____) _____		
Fax: (____) _____		
E-mail: _____		
Description of Items for Training (e.g. maintenance, inspection, pesticide use, others as applicable to site)	Training Schedule	Employees To Be Trained (Job Category or Title)
Staff will be trained to inspect and maintain the Bioretention Areas on the guidelines in Attachment L.	At start of position	Building Maintenance Staff
Building maintenance staff will be trained to comply with the storm water inlet labels painted with the logo "No Dumping/Flows to Bay". This educational measure is intended to prevent unlawful dumping of waste materials, such as motor oil, into the storm drains.	At start of position	Building Maintenance Staff.
Maintenance staff will be trained to in the maintenance of the plants and use pesticides as a last resort. When pesticides must be used, maintenance staff will be trained to do so with the least impact.	At start of position	Building Maintenance Staff

E. RECORD KEEPING

The owner shall be responsible for record keeping of all inspection and maintenance reports.

The types of records kept shall be:

1. Bioretention Area
 - a. Checklist for routine inspection and maintenance following major storm events (Attachment I)
 - b. Checklist for routine inspection and maintenance prior to rainy season and once during wet season (Attachment I)
2. Reporting to the City of Milpitas during the annual reporting period (Attachment I)
3. All records shall be kept for a period of at least 3 years.

F. RESPONSIBLE PARTY

The party responsible for maintenance, inspections, and record keeping of the storm water measures contained within this report shall be the property owner-of-record.

**Storm Water
Requirements - C.3 Data
Form**

ATTACHMENT A



City of Milpitas – Stormwater Requirements C.3 Data Form
Santa Clara Valley Urban Run-Off Pollution Prevention Program

Which Projects Must Comply with Stormwater Requirements?

All projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site must fill out this worksheet and submit it with the development project application.

All restaurants, auto service facilities, retail gasoline outlets, and uncovered parking lot projects (stand-alone or part of another development project, including the top uncovered portion of parking structures) that create and/or replace 5,000 sq. ft. or more of impervious surface on the project site must also fill out this worksheet.

Interior remodeling projects, routine maintenance or repair projects such as re-roofing and re-paving, and single family homes that are not part of a larger plan of development are **NOT** required to complete this worksheet.

What is an Impervious Surface?

An impervious surface is a surface covering or pavement that prevents the land's natural ability to absorb and infiltrate rainfall/stormwater. Impervious surfaces include, but are not limited to rooftops, walkways, paved patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Pervious pavement, underlain with pervious soil or pervious storage material (e.g., drain rock), that infiltrates rainfall at a rate equal to or greater than surrounding unpaved areas OR that stores and infiltrates the water quality design volume specified in Provision C.3.d of the Municipal Regional Stormwater Permit (MRP) is not considered an impervious surface.

For More Information

For more information regarding selection of Best Management Practices for stormwater pollution prevention or stormwater treatment in Santa Clara County: http://www.scvurppp-w2k.com/c3_handbook_2012.shtml

1. Project Information

Project Name: Orchard Supply Hardware **APN #** 028-22-016

Project Address: 125 N Milpitas Blvd, Milpitas, CA 95035

Cross Streets: Beresford Ct and N Milpitas Blvd

Applicant/Developer Name: Oppidan

Project Phase(s): 1 of 1 **Engineer:** Ware Malcomb

Project Type (Check all that apply): ☐ New Development ☐ Redevelopment

☐ Residential ☐ Commercial ☐ Industrial ☐ Mixed Use ☐ Public ☐ Institutional

☐ Restaurant ☐ Uncovered Parking ☐ Retail Gas Outlet ☐ Auto Service (SIC code) _____

☐ Other _____ (5013-5014, 5541, 7532-7534, 7536-7539)

Project Description: The proposed project includes remodeling of the interior and partial exterior of the store building, replace and expand the existing nursery. This renovation triggers the requirement to bring the site into compliance with the current ADA regulations including accessible parking and paths of travel.

Project Watershed/Receiving Water (creek, river, or bay): Wrigley Creek

2. Project Size

a. Total Site Area: 5.54 acre	b. Total Site Area Disturbed: 0.79 acre (including clearing, grading, or excavating)			
	Existing Area (ft²)	Proposed Area (ft²)		Total Post-Project Area (ft²)
		Replaced	New	
Impervious Area				
Roof	50,630	6,000	0	56,630
Parking	146,550	0	0	146,550
Sidewalks and Streets	23,980	8,150	550	18,530
c. Total Impervious Area	221,160	14,150	550	221,710
d. Total new and replaced impervious area		14,700		
Pervious Area				
Landscaping	19,260	984	0	18,710
Pervious Paving	0	0	0	0
Other (e.g. Green Roof)	0	0	0	0
e. Total Pervious Area	19,260	984	0	18,710
f. Percent Replacement of Impervious Area in Redevelopment Projects (Replaced Total Impervious Area ÷ Existing Total Impervious Area) x 100% = 6.6 %				

3. State Construction General Permit Applicability:

a. Is #2.b. equal to one acre or more?

- ☐ Yes, applicant must obtain coverage under the State Construction General Permit (i.e., file a Notice of Intent and prepare a Stormwater Pollution Prevention Plan) (see www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml for details).
- ☒ No, applicant does not need coverage under the State Construction General Permit.

4. MRP Provision C.3 Applicability:

a. Is #2.d. equal to 10,000 sq. ft. or more, or 5,000 sq. ft. or more for restaurants, auto service facilities, retail gas outlets, and uncovered parking?

- ☒ Yes, C.3. source control, site design, and treatment requirements apply.
- ☐ No, C.3. source control and site design requirements may apply – check with local agency

b. Is #2.f. equal to 50% or more?

- ☐ Yes, C.3. requirements (site design, source control, as appropriate, and stormwater treatment) apply to entire site.
- ☒ No, C.3. requirements only apply to impervious area created and/or replaced.

5. Hydromodification Management (HM) Applicability:

a. Does project create and/or replace one acre or more of impervious surface AND is the total post-project impervious area greater than the pre-project (existing) impervious area?

- ☐ Yes (continue) ☒ No – exempt from HM, go to page 3

b. Is the project located in an area of HM applicability (green area) on the HM Applicability Map? (www.scvurppp-w2k.com/hmp_maps.htm)

- ☐ Yes, project must implement HM requirements
- ☒ No, project is exempt from HM requirements

6. Selection of Specific Stormwater Control Measures:

Site Design Measures

- ☒ Minimize land disturbed
- ☐ Minimize impervious surfaces
- ☐ Minimum-impact street or parking lot design
- ☐ Cluster structures/pavement
- ☒ Disconnected downspouts
- ☐ Pervious pavement
- ☐ Green roof
- ☐ Microdetention in landscape
- ☐ Other self-treating area
- ☐ Self-retaining area
- ☐ Rainwater harvesting and use (e.g., rain barrel, cistern connected to roof drains) ¹
- ☐ Preserved open space: _____ ac. or sq. ft. (circle one)
- ☐ Protected riparian and wetland areas/buffers (Setback from top of bank: _____ ft.)
- ☐ Other _____

Source Control Measures

- ☐ Alternative building materials
- ☐ Wash area/racks, drain to sanitary sewer²
- ☐ Covered dumpster area, drain to sanitary sewer²
- ☐ Sanitary sewer connection or accessible cleanout for swimming pool/spa/fountain²
- ☒ Beneficial landscaping (minimize irrigation, runoff, pesticides and fertilizers; promotes treatment)
- ☒ Outdoor material storage protection
- ☐ Covers, drains for loading docks, maintenance bays, fueling areas
- ☒ Maintenance (pavement sweeping, catch basin cleaning, good housekeeping)
- ☒ Storm drain labeling
- ☐ Other _____

Treatment Systems

- ☐ None (all impervious surface drains to self-retaining areas)

LID Treatment

- ☐ Rainwater harvest and use (e.g., cistern or rain barrel sized for C.3.d treatment)
- ☐ Infiltration basin
- ☐ Infiltration trench
- ☐ Exfiltration trench
- ☐ Underground detention and infiltration system (e.g. pervious pavement drain rock, large diameter conduit)

Biotreatment ³

- ☒ Bioretention area
- ☐ Flow-through planter
- ☐ Tree box with bioretention soils
- ☐ Other _____

Other Treatment Methods

- ☐ Proprietary tree box filter⁴
- ☐ Media filter (sand, compost, or proprietary media)⁴
- ☐ Vegetated filter strip⁵
- ☐ Dry detention basin⁵
- ☐ Other _____

Flow Duration Controls for Hydromodification Management (HM)

- ☐ Detention basin
- ☐ Underground tank or vault
- ☐ Bioretention with outlet control
- ☐ Other _____

¹ Optional site design measure; does not have to be sized to comply with Provision C.3.d treatment requirements.

² Subject to sanitary sewer authority requirements.

³ Biotreatment measures are allowed only with completed feasibility analysis showing that infiltration and rainwater harvest and use are infeasible.

⁴ These treatment measures are only allowed if the project qualifies as a "Special Project".

⁵ These treatment measures are only allowed as part of a multi-step treatment process.

7. Treatment System Sizing for Projects with Treatment Requirements

Indicate the hydraulic sizing criteria used and provide the calculated design flow or volume:

Treatment System Component	Hydraulic Sizing Criteria Used ³	Design Flow or Volume (cfs or cu.ft.)
Bioretention	2c	1046 cu.ft.

- ³Key: 1a: Volume – WEF Method
1b: Volume – CASQA BMP Handbook Method
2a: Flow – Factored Flood Flow Method
2b: Flow – CASQA BMP Handbook Method
2c: Flow – Uniform Intensity Method
3: Combination Flow and Volume Design Basis

- 8. Alternative Certification:** Was the treatment system sizing and design reviewed by a qualified third-party professional that is not a member of the project team or agency staff?

☐ Yes ☒ No Name of Reviewer: _____

9. Operation & Maintenance Information

- A. Property Owner's Name: Oppidan (OSH)
B. Responsible Party for Stormwater Treatment/Hydromodification Control O&M:
a. Name: Chase Jiannalone
b. Address: 6450 Via Del Oro, San Jose, CA 95119
c. Phone/E-mail: 925-980-9672 / chase@oppidan.com

This section to be completed by City of Milpitas staff.

O&M Responsibility Mechanism

Indicate how responsibility for O&M is assured. Check all that apply:

- ☐ O&M Agreement
☐ Other mechanism that assigns responsibility (describe below):

Reviewed:

Planning Department

Planning Division: _____

Other (Specify): _____

Public Works Department

Land Development: _____

Other (Specify): _____

Infiltration/Harvesting and Use Feasibility Worksheet

ATTACHMENT B



Infiltration/Harvesting and Use Feasibility Screening Worksheet

Apply these screening criteria for **C.3 Regulated Projects*** required to implement Provision C.3 stormwater treatment requirements. See the Glossary (Attachment 1) for definitions of terms marked with an asterisk (*). Contact municipal staff to determine whether the project meets **Special Project*** criteria. If the project meets Special Project criteria, it may receive LID treatment reduction credits.

1. Applicant Info

Site Address: 125 N. Milpitas Blvd., CA APN: 028-22-016
Applicant Name: Oppidan Phone No.: (925) 980-9672
Mailing Address: 6450 Via Del Oro, San Jose, CA 95119

2. Feasibility Screening for Infiltration

Do site soils either (a) have a **saturated hydraulic conductivity*** (Ksat) that will NOT allow infiltration of 80% of the annual runoff (that is, the Ksat is LESS than 1.6 inches/hour), or, if the Ksat rate is not available, (b) consist of Type C or D soils?¹

- ☒ Yes (continue) ☐ No – complete the Infiltration Feasibility Worksheet. If infiltration of the C.3.d amount of runoff is found to be feasible, there is no need to complete the rest of this screening worksheet.

3. Recycled Water Use

Check the box if the project is installing and using a recycled water plumbing system for non-potable water use.

- ☐ The project is installing a recycled water plumbing system, and installation of a second non-potable water system for harvested rainwater is impractical, and considered infeasible due to cost considerations. Skip to Section 6.

4. Calculate the Potential Rainwater Capture Area* for Screening of Harvesting and Use

Complete this section for the entire project area. If rainwater harvesting and use is infeasible for the entire site, and the project includes one or more buildings that each have an individual roof area of 10,000 sq. ft. or more, then complete Sections 4 and 5 of this form for each of these buildings.

- 4.1 Table 1 for (check one): ☒ The whole project ☐ Area of 1 building roof (10,000 sq.ft. min.)

Table 1: Calculation of the Potential Rainwater Capture Area*				
The Potential Rainwater Capture Area may consist of either the entire project area or one building with a roof area of 10,000 sq. ft. or more.				
	1	2	3	4
	Pre-Project Impervious surface ² (sq. ft.), if applicable	Proposed Impervious Surface ² (IS), in sq. ft. Replaced ³ IS Created ⁴ IS		Post-project landscaping (sq. ft.), if applicable
a. Enter the totals for the area to be evaluated:	221,160	14,150	550	221,710
b. Sum of replaced and created impervious surface:	N/A	14,700		N/A
c. Area of existing impervious surface that will NOT be replaced by the project.	207,010	N/A		N/A

¹ Base this response on the site-specific soil report, if available. If this is not available, consult soil hydraulic conductivity maps in Attachment 3.

² Enter the total of all impervious surfaces, including the building footprint, driveway(s), patio(s), impervious deck(s), unroofed porch(es), uncovered parking lot (including top deck of parking structure), impervious trails, miscellaneous paving or structures, and off-lot impervious surface (new, contiguous impervious surface created from road projects, including sidewalks and/or bike lanes built as part of new street). Impervious surfaces do NOT include vegetated roofs or pervious pavement that stores and infiltrates rainfall at a rate equal to immediately surrounding, unpaved landscaped areas, or that stores and infiltrates the C.3.d amount of runoff*.

³ "Replaced" means that the project will install impervious surface where existing impervious surface is removed.

⁴ "Created" means the project will install new impervious surface where there is currently no impervious surface.

* For definitions, see Glossary (Attachment 1).

- 4.2 Answer this question ONLY if you are completing this section for the entire project area. If existing impervious surface will be replaced by the project, does the area to be replaced equal 50% or more of the existing area of impervious surface? (Refer to Table 1, Row "a". Is the area in Column 2 > 50% of Column 1?)

- ☐ Yes, C.3. stormwater treatment requirements apply to areas of impervious surface that will remain in place as well as the area created and/or replaced. This is known as the 50% rule.
☒ No, C.3. requirements apply only to the impervious area created and/or replaced.

- 4.3 Enter the square footage of the **Potential Rainwater Capture Area***. If you are evaluating only the roof area of a building, or you answered "no" to Question 4.2, this amount is from Row "b" in Table 1. If you answered "yes" to Question 4.2, this amount is the sum of Rows "b" and "c" in Table 1.:

14,700 square feet.

- 4.4 Convert the measurement of the **Potential Rainwater Capture Area*** from square feet to acres (divide the amount in Item 4.3 by 43,560):

0.34 acres.

5. Feasibility Screening for Rainwater Harvesting and Use

- 5.1 Use of harvested rainwater for landscape irrigation:

Is the onsite landscaping LESS than 2.5 times the size of the **Potential Rainwater Capture Area*** (Item 4.3)? (Note that the landscape area(s) would have to be contiguous and within the same Drainage Management Area to use harvested rainwater for irrigation via gravity flow.)

- ☒ Yes (continue) ☐ No – Direct runoff from impervious areas to **self-retaining areas*** OR refer to Table 11 and the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for irrigation.

- 5.2 Use of harvested rainwater for toilet flushing or non-potable industrial use:

- a. Residential Projects: Proposed number of dwelling units: _____
 Calculate the dwelling units per impervious acre by dividing the number of dwelling units by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:

_____)

Is the number of dwelling units per impervious acre LESS than 100 (assuming 2.7 occupants/unit)?

- ☐ Yes (continue) ☐ No – complete the Harvest/Use Feasibility Worksheet.

- b. Commercial/Industrial Projects: Proposed interior floor area: 0 (sq. ft.)

Calculate the proposed interior floor area (sq.ft.) per acre of impervious surface by dividing the interior floor area (sq.ft.) by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:

Is the square footage of the interior floor space per impervious acre LESS than 70,000 sq. ft.?

- ☒ Yes (continue) ☐ No – complete the Harvest/Use Feasibility Worksheet

- c. School Projects: Proposed interior floor area: _____ (sq. ft.)

Calculate the proposed interior floor area per acre of impervious surface by dividing the interior floor area (sq.ft.) by the acres of the **Potential Rainwater Capture Area*** in Item 4.4. Enter the result here:

Is the square footage of the interior floor space per impervious acre LESS than 21,000 sq. ft.?

- ☐ Yes (continue) ☐ No – complete the Harvest/Use Feasibility Worksheet

* For definitions, see Glossary (Attachment I).

d. Mixed Commercial and Residential Use Projects

- Evaluate the residential toilet flushing demand based on the dwelling units per impervious acre for the residential portion of the project, following the instructions in Item 5.2.a, except you will use a prorated acreage of impervious surface, based on the percentage of the project dedicated to residential use.
- Evaluate the commercial toilet flushing demand per impervious acre for the commercial portion of the project, following the instructions in Item 5.2.a, except you will use a prorated acreage of impervious surface, based on the percentage of the project dedicated to commercial use.

e. Industrial Projects: Estimated non-potable water demand (gal/day): _____

Is the non-potable demand LESS than 2,400 gal/day per acre of the Potential Rainwater Capture Area?

- ☐ Yes (continue) ☐ No – refer to the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for industrial use.

6. **Use of Biotreatment**

If only the "Yes" boxes were checked for all questions in Sections 2 and 5, or the project will have a recycled water system for non-potable use (Section 3), then the applicant may use appropriately designed bioretention facilities for compliance with C.3 treatment requirements. The applicant is encouraged to maximize infiltration of stormwater if site conditions allow.

7. **Results of Screening Analysis**

Based on this screening analysis, the following steps will be taken for the project (check all that apply):

- ☒ Implement biotreatment measures (such as an appropriately designed bioretention area).
- ☐ Conduct further analysis of infiltration feasibility by completing the Infiltration Feasibility Worksheet.
- ☐ Conduct further analysis of rainwater harvesting and use (check one):
 - ☐ Complete the Rainwater Harvesting and Use Feasibility Worksheet for:
 - ☐ The entire project
 - ☐ Individual building(s), if applicable, describe: _____
 - ☐ Evaluate the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report
 - ☐ Evaluate the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report.

* For definitions, see Glossary (Attachment 1).

Special Project Worksheet

ATTACHMENT C

Special Projects Worksheet



Project Name:

Project Address:

Applicant/Developer Name:

1. "Special Project" Determination:

Special Project Category "A"

Does the project have ALL of the following characteristics?

- ☐ Located in a municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian-oriented commercial district, or historic preservation site and/or district¹;
- ☐ Creates and/or replaces 0.5 acres or less of impervious surface;
- ☐ Includes no surface parking, except for incidental parking for emergency vehicle access, ADA access, and passenger or freight loading zones;
- ☐ Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment.

☒ No (continue) ☐ Yes – complete Section 2 of the Special Project Worksheet

Special Project Category "B"

Does the project have ALL of the following characteristics?

- ☐ Located in a municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian-oriented commercial district, or historic preservation site and/or district¹;
- ☐ Creates and/or replaces an area of impervious surface that is greater than 0.5 acres, and no more than 2.0 acres;
- ☐ Includes no surface parking, except for incidental parking for emergency access, ADA access, and passenger or freight loading zones;
- ☐ Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment;
- ☐ Minimum density of either 50 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)

☒ No (continue) ☐ Yes – complete Section 2 of the Special Project Worksheet

Special Project Category "C"

Does the project have ALL of the following characteristics?

- ☐ At least 50% of the project area is within 1/2 mile of an existing or planned transit hub² or 100% within a planned Priority Development Area³;
- ☐ The project is characterized as a non-auto-related use⁴; and
- ☐ Minimum density of either 25 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)

☒ No ☐ Yes – complete Section 2 of the Special Project Worksheet

¹ And built as part of a municipality's stated objective to preserve/enhance a pedestrian-oriented type of urban design.

² "Transit hub" is defined as a rail, light rail, or commuter rail station, ferry terminal, or bus transfer station served by three or more bus routes. (A bus stop with no supporting services does not qualify.)

³ A "planned Priority Development Area" is an infill development area formally designated by the Association of Bay Area Government's / Metropolitan Transportation Commission's FOCUS regional planning program.

⁴ Category C specifically excludes stand-alone surface parking lots; car dealerships; auto and truck rental facilities with onsite surface storage; fast-food restaurants, banks or pharmacies with drive-through lanes; gas stations; car washes; auto repair and service facilities; or other auto-related project unrelated to the concept of transit oriented development.

Special Projects Worksheet



2. LID Treatment Reduction Credit Calculation:

Category	Impervious Area Created/Replaced (acres)	Site Coverage (%)	Project Density or FAR	Density/Criteria	Allowable Credit (%)	Applied Credit (%)
A			N.A.	N.A.	100%	
B				Res ≥ 50 DU/ac or FAR ≥ 2:1	50%	
				Res ≥ 75 DU/ac or FAR ≥ 3:1	75%	
				Res ≥ 100 DU/ac or FAR ≥ 4:1	100%	
C				Location credit (select one) ⁵ :		
				Within ¼ mile of transit hub	50%	
				Within ½ mile of transit hub	25%	
				Within a planned PDA	25%	
				Density credit (select one):		
				Res ≥ 30 DU/ac or FAR ≥ 2:1	10%	
				Res ≥ 60 DU/ac or FAR ≥ 4:1	20%	
				Res ≥ 100 DU/ac or FAR ≥ 6:1	30%	
				Parking credit (select one):		
				≥ 10% at-grade surface parking ⁶	10%	
				No surface parking	20%	
TOTAL TOD CREDIT =						

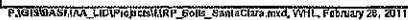
⁵ To qualify for the location credit, at least 50% of the project's site must be located within the ¼ mile or ½ mile radius of an existing or planned transit hub, as defined on page 1, footnote 2. A planned transit hub is a station on the MTC's Regional Transit Expansion Program list, per MTC's Resolution 3434 (revised April 2006), which is a regional priority funding plan for future transit stations in the San Francisco Bay Area. To qualify for the PDA location credit, 100% of the project site must be located within a PDA, as defined on page 1, footnote 3.

⁶ The at-grade surface parking must be treated with LID treatment measures.

Soil Properties

ATTACHMENT D

Site Location



MRP Calculation Worksheet

ATTACHMENT E

Section III. Sizing for Flow-Based Treatment Measures, continued

Section III.C.—Sizing Flow-Based Treatment Measures based on the Uniform Intensity Approach

This method uses the Rational Method equation:

$$Q = CIA$$

Where:

Q is the design flow in cubic feet per second (cfs),
C is the drainage area runoff coefficient,
I is the design intensity (in/hr), and
A is the drainage area for the BMP (acres)

Step 1. Determine the drainage area for the BMP, $A = \boxed{0.03 \text{ acres}}$

Step 2. Determine the runoff coefficient, $C = \boxed{0.7}$ from Table B-3 or B-4.

It is more accurate to compute an area-weighted "C-factor" based on the surfaces in the drainage area (Table B-3), if possible, than to assume a composite "C-factor" such as those in Table B-4, especially for small drainage areas.

Step 3. Use a design intensity of 0.2 in/hr for "I" in the $Q = CIA$ equation.

$$I = \boxed{0.2 \text{ in/hr}}$$

Step 4. Determine the design flow (Q) using $Q = CIA$

$$Q = C \times I \times A$$

$$Q = (\text{Step 2}) \times (0.2 \text{ in/hr}) \times (\text{Step 1})$$

$$Q = \boxed{0.004 \text{ acres-in/hr}}$$

$$\text{Design Flow, } Q = \boxed{0.004 \text{ cfs}}^{10}$$

¹⁰ No conversion factor for correct units is needed for the rational formula because (1 acre-in/hr) X (43,560 sq.ft/acre) X (1ft/12 in) X (1hr/3600 sec) \approx 1 ft³/sec or cfs.

BMP Sizing Calculations

ATTACHMENT F

SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM

TREATMENT MEASURE DIMENSIONS AND SIZING

- The bioretention area may be sized to be 4% of the impervious surface area on the project site. The area of tributary impervious surface multiplied by the 0.04 sizing factor will equal the required surface area of the bioretention area. This sizing factor is derived from the flow-based treatment standard (runoff from 0.2 in/hr intensity rainfall) and a desired surface loading rate of 5 in/hr through the biotreatment soil mix. Alternatively, bioretention sizing may be calculated using a volume-based sizing method or a combination flow- and volume-based sizing method described in Section 5.1 of the C.3 Handbook.
- The surface of the bioretention area should be primarily flat, but elevations may vary as needed to distribute stormwater flows throughout the surface area. Edges may slope up to meet surrounding grade. Side slopes should not exceed 3:1.
- Bioretention areas, including linear treatment measures, should not be constructed on slopes greater than 4%, unless constructed as a series of relatively horizontal bioretention cells. Separate bioretention cells by check dams up to 24 inches high and at least 25 feet apart. The slope within cells should not exceed 2%. Bioretention cells are not recommended if overall slope exceeds 8%.
- Surface ponding depths may vary, with a recommended 6-inch depth, and a maximum 12-inch depth if allowed by the municipality. If ponding depths exceed 6 inches, the landscape architect should approve the planting palette for desired depth.
- The inlet to the overflow pipe or catch basin should be at least 6 inches above the low point of the bioretention planting area and at least 2 inches above the high point of the bioretention area (i.e., the top of planting mounds). Additional freeboard requirements may apply to protect nearby structures from flooding; check with the local jurisdiction.

INLETS TO TREATMENT MEASURE

Flow may enter the treatment measure in the following way(s):

- As overland flow from landscaping (no special requirements)
- As overland flow from pavement (cutoff wall required)
- Through a curb opening (minimum 18 inches)
- Through a curb drain
- With drop structure through a stepped manhole
- Through a pop-up or bubble-up emitter
- Through roof leader or other conveyance from building roof
- Where flows enter the bioretention area, allow a change in elevation of 4 to 6 inches between the paved surface and biotreatment soil elevation, so that vegetation or mulch build-up does not obstruct flow.
- Install cobbles or rocks, underlain by geotextile fabric, to dissipate flow energy and avoid erosion at the point where runoff enters the bioretention area.

See Section 5.2 of the SCVURPPP C.3 Handbook for example inlets and additional guidance.

UNDERDRAIN AND OVERFLOW STRUCTURES

- An underdrain system is generally required for installations in slow-draining native soils. If the water quality design volume will infiltrate into native soils in 72 hours or less, based on local percolation tests, and the local jurisdiction allows, then no underdrain is required.
- The underdrain should consist of a minimum 4-inch diameter perforated pipe with cleanouts and connection to a storm drain or discharge point. To help prevent clogging, two rows of perforation may be used.
- The underdrain trench should include a minimum 12-inch thick layer of drain rock, such as Caltrans Standard Section 68-1.025 Class 2 permeable material or equivalent. At least two inches of drain rock should cover the underdrain. The underdrain should be placed with perforations facing downward, at a minimum 0.5% slope to the storm drain or

14,000 SQFT X .04
= 560 # OF REQUIRED
BIOTREATMENT AREA

**Site Plan – Drainage
Areas, Treatment Areas,
and Flow Lines**





















ATTACHMENT G

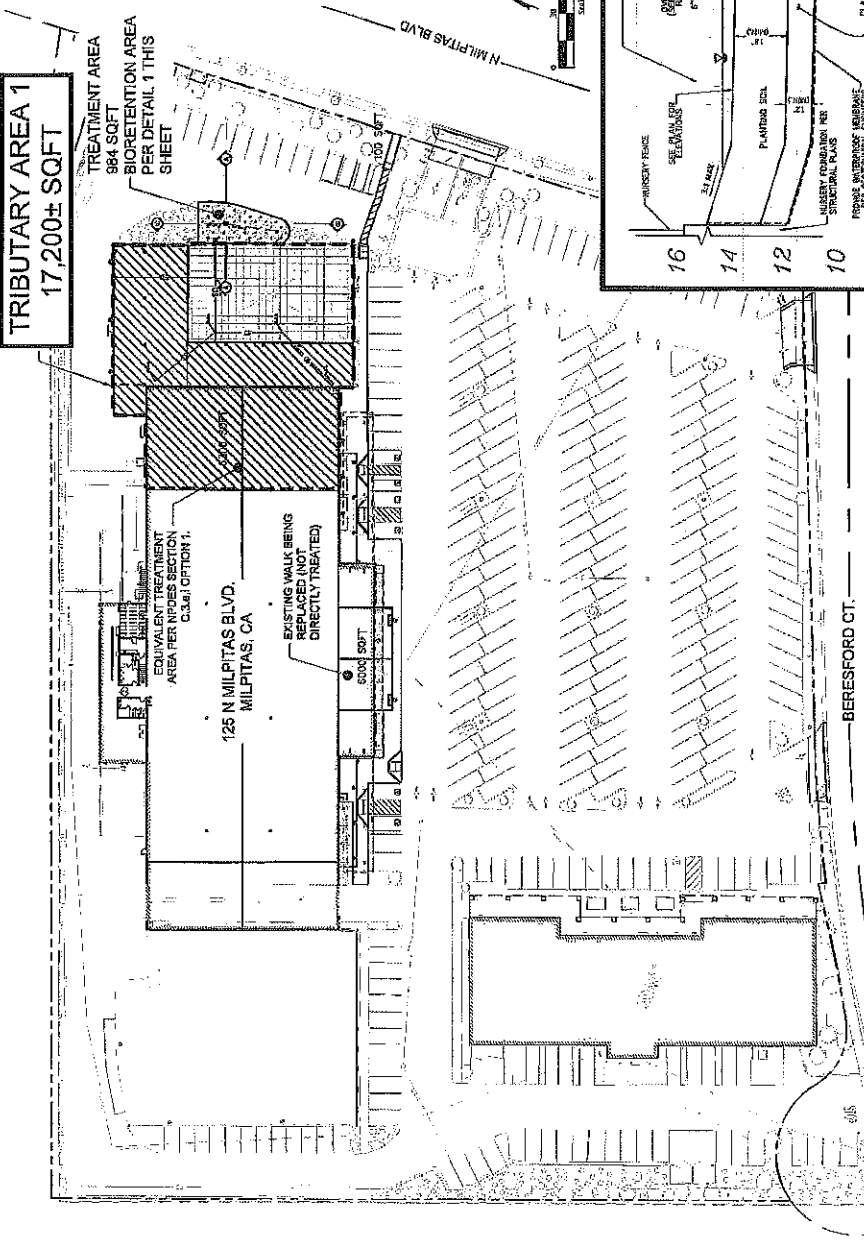
WARE MALCOMB
Leading Design for Commercial Real Estate



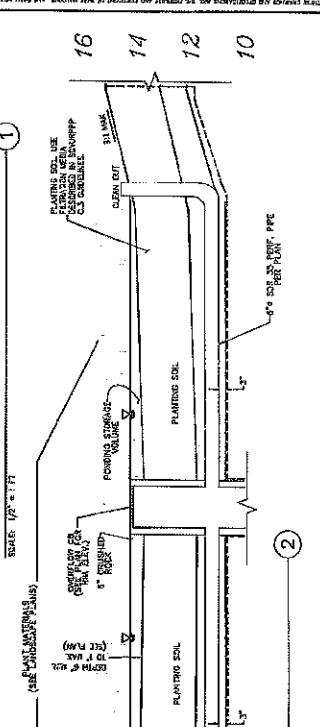
Orchard
SUPPLY HARDWARE
125 N MILPITAS BLVD.
MILPITAS, CALIFORNIA 95035

[illegible][illegible]

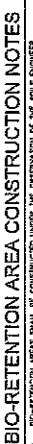
SYMBOL	PROPOSED	DESCRIPTION
 LSR 1	 R	STONE COLUMN IN JET
	 S	STEAM DRIVEN PIPE
	 R	REPURPOSED STONE CHIMNEY PIPE
	 I	INFILTRATION AREA
	 C	CONCRETE WALLING, PAVING, ETC.
	 R	ROOF AREAS
	 E	EXISTING IMMEDIATE BEING REPAIRED
	 E	EXISTING IMMEDIATE BEING REPLACED
	 N	NON-SCAPE SOUND TREATED
	 T	TREATMENT AREA



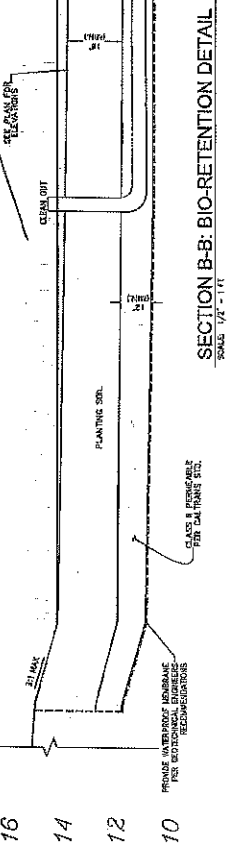
SECTION A-A: BIO-RETENTION DETAIL



SECTION B-B: BIO-RETENTION DETAIL

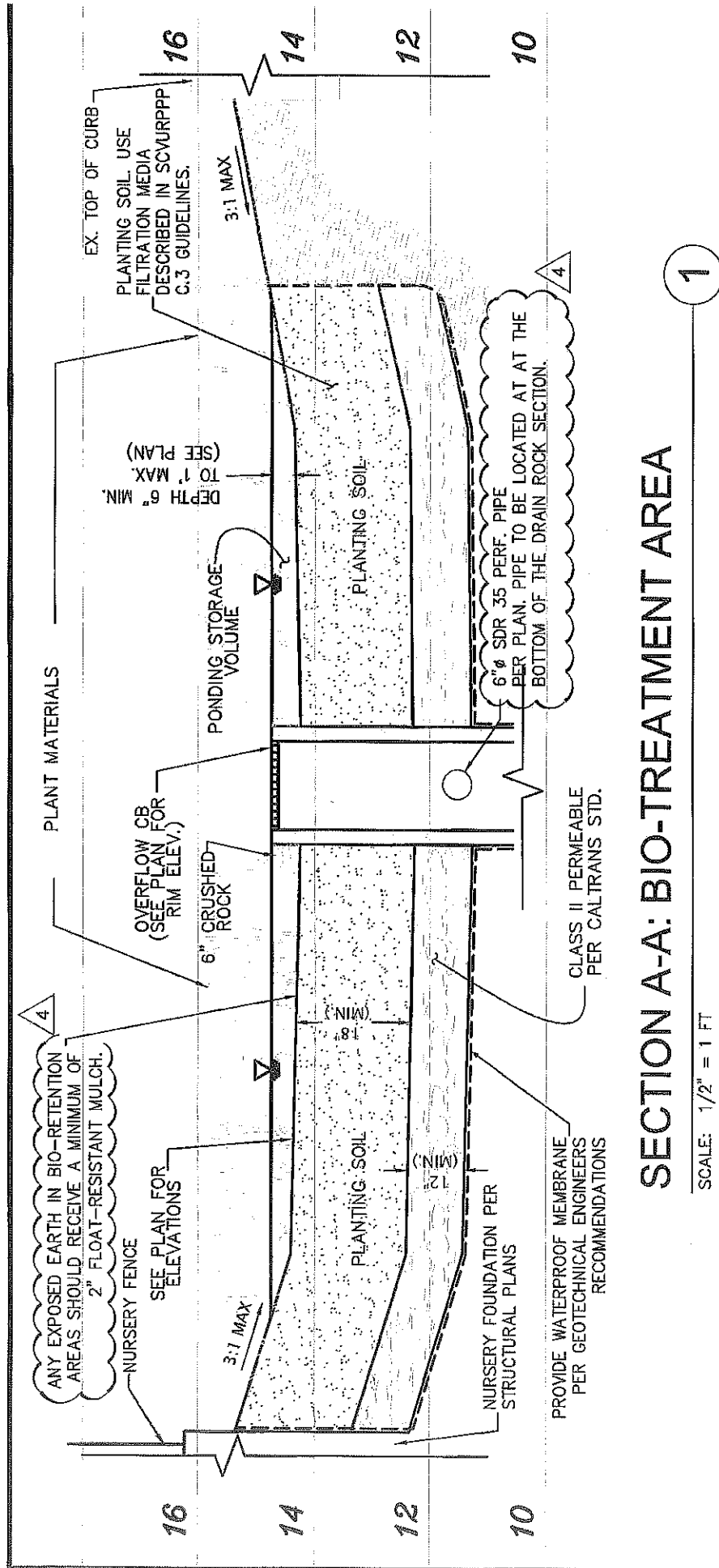


- THE INSTALLED PERVIOUS MATERIAL SHALL HAVE A PERCOLATION RATE OF 5" TO 10" PER HOUR AND SHALL BE CAPABLE OF SUPPORTING THE PLANT MATERIAL SPECIFIED BY THE LANDSCAPE ARCHITECT (SEE PLANTING PLANS). THE CONTINUATION SHALL FOLLOWING INSTALLATION OF THE PERVIOUS MATERIAL.
- NO BAGS WHICH SHALL BE USED WHEN THE SUB-TREATMENT AREA.



Details for Each Treatment Measure

ATTACHMENT H



SECTION A-A: BIO-TREATMENT AREA

Operations and Maintenance Plan

ATTACHMENT I

CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT

WARE MALCOMB
Leading Design for Commercial Real Estate

SEAL
Professional Engineer
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Civil Engineering
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SEAL
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State of California
Civil Engineering
1234 Main Street
San Francisco, CA 94102
(415) 555-1234

125 N MILPITAS BLVD.
MILPITAS, CALIFORNIA 95035

STORMWATER CONTROL PLAN

NO.	DATE	DESCRIPTION
1	10/15/2010	PRELIMINARY
2	11/01/2010	REVISED TO ADD DETENTION BASIN
3	11/15/2010	REVISED TO ADD BIO-TREATMENT AREA
4	12/01/2010	REVISED TO ADD PERVIOUS SURFACES
5	12/15/2010	REVISED TO ADD DETENTION BASIN
6	01/01/2011	REVISED TO ADD BIO-TREATMENT AREA
7	01/15/2011	REVISED TO ADD PERVIOUS SURFACES
8	02/01/2011	REVISED TO ADD DETENTION BASIN
9	02/15/2011	REVISED TO ADD BIO-TREATMENT AREA
10	03/01/2011	REVISED TO ADD PERVIOUS SURFACES

STORMWATER CONTROL PLAN

NO.	DATE	DESCRIPTION
1	10/15/2010	PRELIMINARY
2	11/01/2010	REVISED TO ADD DETENTION BASIN
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6	01/01/2011	REVISED TO ADD BIO-TREATMENT AREA
7	01/15/2011	REVISED TO ADD PERVIOUS SURFACES
8	02/01/2011	REVISED TO ADD DETENTION BASIN
9	02/15/2011	REVISED TO ADD BIO-TREATMENT AREA
10	03/01/2011	REVISED TO ADD PERVIOUS SURFACES

C3.0

STORMWATER TREATMENT SUMMARY

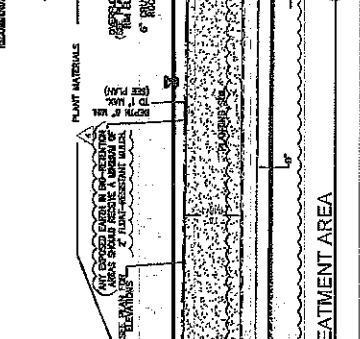
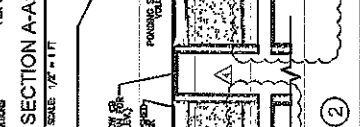
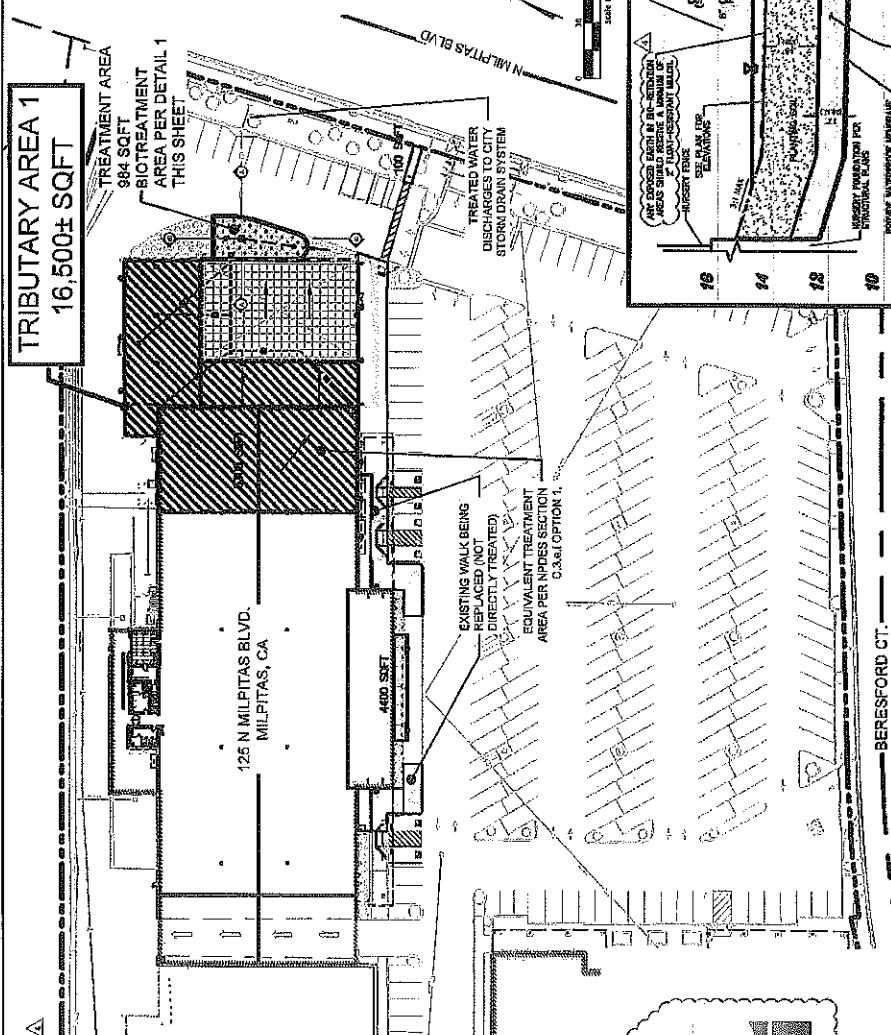
TREATMENT AREA	PERVIOUS AREA (SQFT)	PERVIOUS SURFACES (SQFT)	PERVIOUS SURFACES (SQFT)	PERVIOUS SURFACES (SQFT)
TRIBUTARY AREA 1	16,500±	16,500±	16,500±	16,500±
TREATMENT AREA 1	984	984	984	984
TREATMENT AREA 2	440	440	440	440
TREATMENT AREA 3	1,100	1,100	1,100	1,100
TREATMENT AREA 4	1,100	1,100	1,100	1,100
TREATMENT AREA 5	1,100	1,100	1,100	1,100
TREATMENT AREA 6	1,100	1,100	1,100	1,100
TREATMENT AREA 7	1,100	1,100	1,100	1,100
TREATMENT AREA 8	1,100	1,100	1,100	1,100
TREATMENT AREA 9	1,100	1,100	1,100	1,100
TREATMENT AREA 10	1,100	1,100	1,100	1,100

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

NO.	DATE	DESCRIPTION
1	10/15/2010	PRELIMINARY
2	11/01/2010	REVISED TO ADD DETENTION BASIN
3	11/15/2010	REVISED TO ADD BIO-TREATMENT AREA
4	12/01/2010	REVISED TO ADD PERVIOUS SURFACES
5	12/15/2010	REVISED TO ADD DETENTION BASIN
6	01/01/2011	REVISED TO ADD BIO-TREATMENT AREA
7	01/15/2011	REVISED TO ADD PERVIOUS SURFACES
8	02/01/2011	REVISED TO ADD DETENTION BASIN
9	02/15/2011	REVISED TO ADD BIO-TREATMENT AREA
10	03/01/2011	REVISED TO ADD PERVIOUS SURFACES

LEGEND

NO.	DATE	DESCRIPTION
1	10/15/2010	PRELIMINARY
2	11/01/2010	REVISED TO ADD DETENTION BASIN
3	11/15/2010	REVISED TO ADD BIO-TREATMENT AREA
4	12/01/2010	REVISED TO ADD PERVIOUS SURFACES
5	12/15/2010	REVISED TO ADD DETENTION BASIN
6	01/01/2011	REVISED TO ADD BIO-TREATMENT AREA
7	01/15/2011	REVISED TO ADD PERVIOUS SURFACES
8	02/01/2011	REVISED TO ADD DETENTION BASIN
9	02/15/2011	REVISED TO ADD BIO-TREATMENT AREA
10	03/01/2011	REVISED TO ADD PERVIOUS SURFACES



PROPOSED SOURCE CONTROL MEASURES

1. **LANDSCAPING**

2. **PERVIOUS SURFACES**

3. **PERVIOUS SURFACES**

4. **PERVIOUS SURFACES**

5. **PERVIOUS SURFACES**

6. **PERVIOUS SURFACES**

7. **PERVIOUS SURFACES**

8. **PERVIOUS SURFACES**

9. **PERVIOUS SURFACES**

10. **PERVIOUS SURFACES**

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BIO-TREATMENT AREA CONSTRUCTION NOTES

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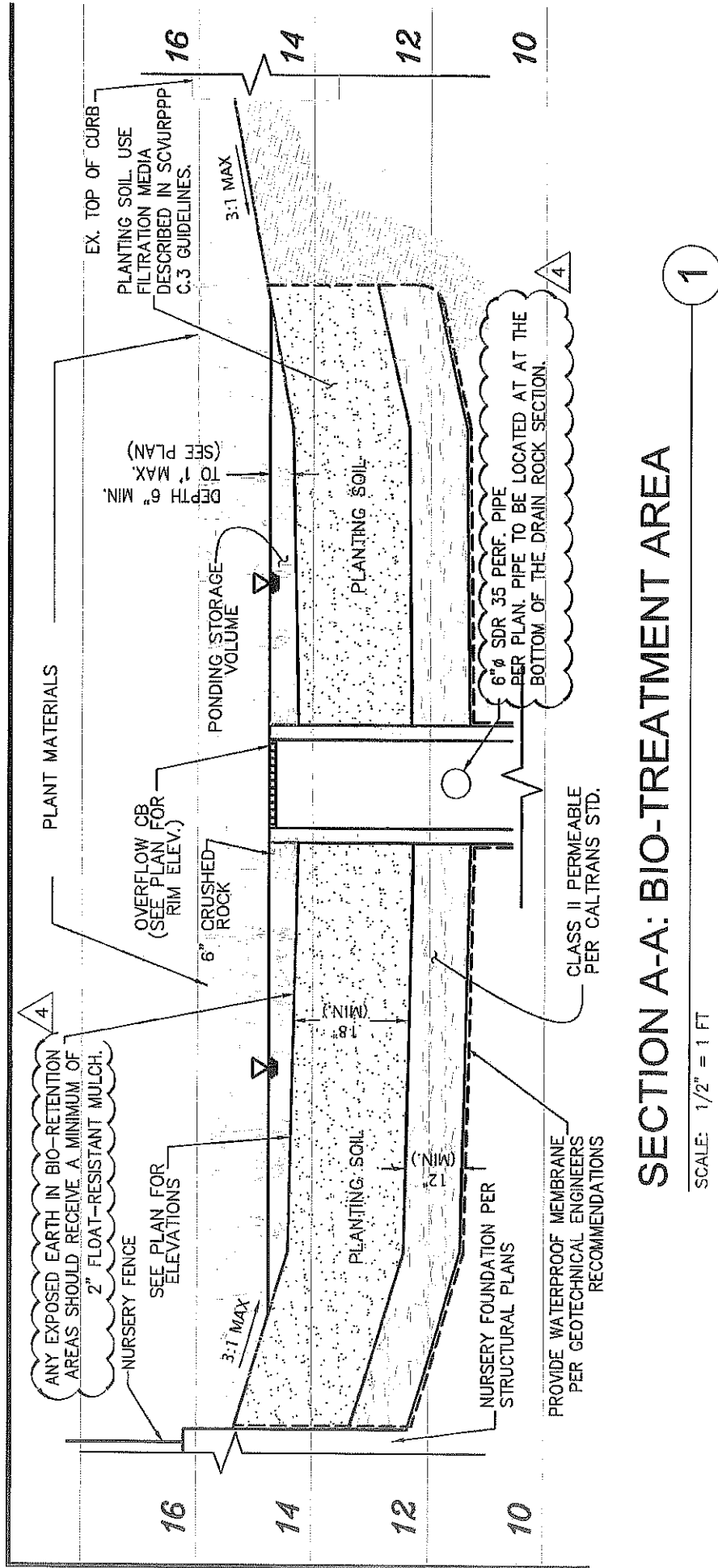
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**Bioretention Area Maintenance Plan for
Orchard Supply Milpitas**

[December 03, 2014]

Project Address and Cross Streets 125 N Milpitas Blvd, Milpitas, CA 95035

Assessor's Parcel No.: 028-22-016

Property Owner: _____ Phone No.: _____

Designated Contact: _____ Phone No.: _____

Mailing Address: _____

The property contains one bioretention area(s), located as described below and as shown in the attached site plan¹.

- **Bioretention Area No. 1** is located at East of Existing Building
- [[= Add descriptions of other bioretention areas, if applicable. =]]

I. Routine Maintenance Activities

The principal maintenance objective is to prevent sediment buildup and clogging, which reduces pollutant removal efficiency and may lead to bioretention area failure. Routine maintenance activities, and the frequency at which they will be conducted, are shown in Table 1.

Table 1 Routine Maintenance Activities for Bioretention Areas		
No.	Maintenance Task	Frequency of Task
1	Remove obstructions, debris and trash from bioretention area and dispose of properly.	Monthly, or as needed after storm events
2	Inspect bioretention area for ponded water. If ponded water does not drain within 2-3 days, till and replace the surface soil and replant.	Monthly, or as needed after storm events
3	Inspect inlets for channels, soil exposure or other evidence of erosion. Clear obstructions and remove sediment.	Monthly, or as needed after storm events
4	Remove and replace all dead and diseased vegetation.	Twice a year
5	Maintain vegetation and the irrigation system. Prune and weed to keep bioretention area neat and orderly in appearance. Remove and or replace any dead plants.	Twice a year
6	Check that mulch is at appropriate depth (2 inches per soil specifications) and replenish as necessary before wet season begins.	Monthly
7	Inspect the energy dissipation at the inlet to ensure it is functioning adequately, and that there is no scour of the surface mulch.	Annually, before the wet season begins
8	Inspect bioretention area using the attached inspection checklist.	Monthly, or after large storm events, and after removal of accumulated debris or material

¹ Attached site plan must match the site plan exhibit to Maintenance Agreement.

Bioretention Area Maintenance Plan
Property Address: 125 N Milpitas Blvd, Milpitas, CA 95035

Date of Inspection: _____
Treatment Measure No.: _____

II. Use of Pesticides

The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Limit fertilizer use unless soil testing indicates a deficiency. Slow-release or organic fertilizer is preferable. Check with municipality for specific requirements.
5. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
6. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
7. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
8. Only licensed, trained pesticide applicators shall apply pesticides.
9. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
10. Unwanted/unused pesticides shall be disposed as hazardous waste.

III. Vector Control

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the Santa Clara Valley Vector Control District (District). Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the District, and then only by a licensed professional or contractor. Contact information for the District is provided below.

Santa Clara Valley Vector Control District
1580 Berger Dr.
San José, California 95112
Phone: (408) 918-4770 / (800) 675-1155 - Fax: (408) 298-6356
www.sccgov.org/portal/site/vector

IV. Inspections

The attached Bioretention Area Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed), identify needed maintenance, and record maintenance that is conducted.

**Bioretention Area
Inspection and Maintenance Checklist**

Property Address: 125 N Milpitas Blvd, Milpitas, CA 95035

Property Owner: Oppidan (OSH)

Treatment Measure No.: _____ Date of Inspection: _____ Type of Inspection: ☐ Monthly ☐ Pre-Wet Season
☐ After heavy runoff ☐ End of Wet Season
Inspector(s): _____ ☐ Other: _____

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done)	Results Expected When Maintenance Is Performed
1. Standing Water	Water stands in the bioretention area between storms and does not drain within 2-3 days after rainfall.			There should be no areas of standing water once storm event has ceased. Any of the following may apply: sediment or trash blockages removed, improved grade from head to foot of bioretention area, or added underdrains.
2. Trash and Debris Accumulation	Trash and debris accumulated in the bioretention area.			Trash and debris removed from bioretention area and disposed of properly.
3. Sediment	Evidence of sedimentation in bioretention area.			Material removed so that there is no clogging or blockage. Material is disposed of properly.
4. Erosion	Channels have formed around inlets, there are areas of bare soil, and/or other evidence of erosion.			Obstructions and sediment removed so that water flows freely and disperses over a wide area. Obstructions and sediment are disposed of properly.
5. Vegetation	Vegetation is dead, diseased and/or overgrown.			Vegetation is healthy and attractive in appearance.
6. Mulch	Mulch is missing or patchy in appearance. Areas of bare earth are exposed, or mulch layer is less than 2 inches in depth.			All bare earth is covered, except mulch is kept 6 inches away from trunks of trees and shrubs. Mulch is even in appearance, at a depth of 2 inches.
7. Miscellaneous	Any condition not covered above that needs attention in order for the bioretention area to function as designed.			Meets the design specifications.

**Stormwater Treatment Measure Operation and Maintenance
Inspection Report to the City of Milpitas California**

This report and attached Inspection and Maintenance Checklists document the inspection and maintenance conducted for the identified stormwater treatment measure(s) subject to the Maintenance Agreement between the City and the property owner during the annual reporting period indicated below.

I. Property Information:

Property Address or APN: 028-22-016

Property Owner: _____

II. Contact Information:

Name of person to contact regarding this report: _____

Phone number of contact person: _____ Email: _____

Address to which correspondence regarding this report should be directed:

III. Reporting Period:

This report, with the attached completed inspection checklists, documents the inspections and maintenance of the identified treatment measures during the time period from _____ to _____.

IV. Stormwater Treatment Measure Information:

The following stormwater treatment measures (identified treatment measures) are located on the property identified above and are subject to the Maintenance Agreement:

Identifying Number of Treatment Measure	Type of Treatment Measure	Location of Treatment Measure on the Property

V. Summary of Inspections and Maintenance:

Summarize the following information using the attached Inspection and Maintenance Checklists:

Identifying Number of Treatment Measure	Date of Inspection	Operation and Maintenance Activities Performed and Date(s) Conducted	Additional Comments

VI. Sediment Removal:

Total amount of accumulated sediment removed from the stormwater treatment measure(s) during the reporting period: _____ cubic yards.

How was sediment disposed?

- ☐ landfill
- ☐ other location on-site as described in and allowed by the maintenance plan
- ☐ other, explain _____

125 N. Milpitas Blvd, Milpitas, CA 95035

VII. Inspector Information:

The inspections documented in the attached Inspection and Maintenance Checklists were conducted by the following inspector(s):

Inspector Name and Title	Inspector's Employer and Address

VIII. Certification:

I hereby certify, under penalty of perjury, that the information presented in this report and attachments is true and complete:

Signature of Property Owner or Other Responsible Party

Date

Type or Print Name

Company Name

Address

Phone number: _____ Email: _____

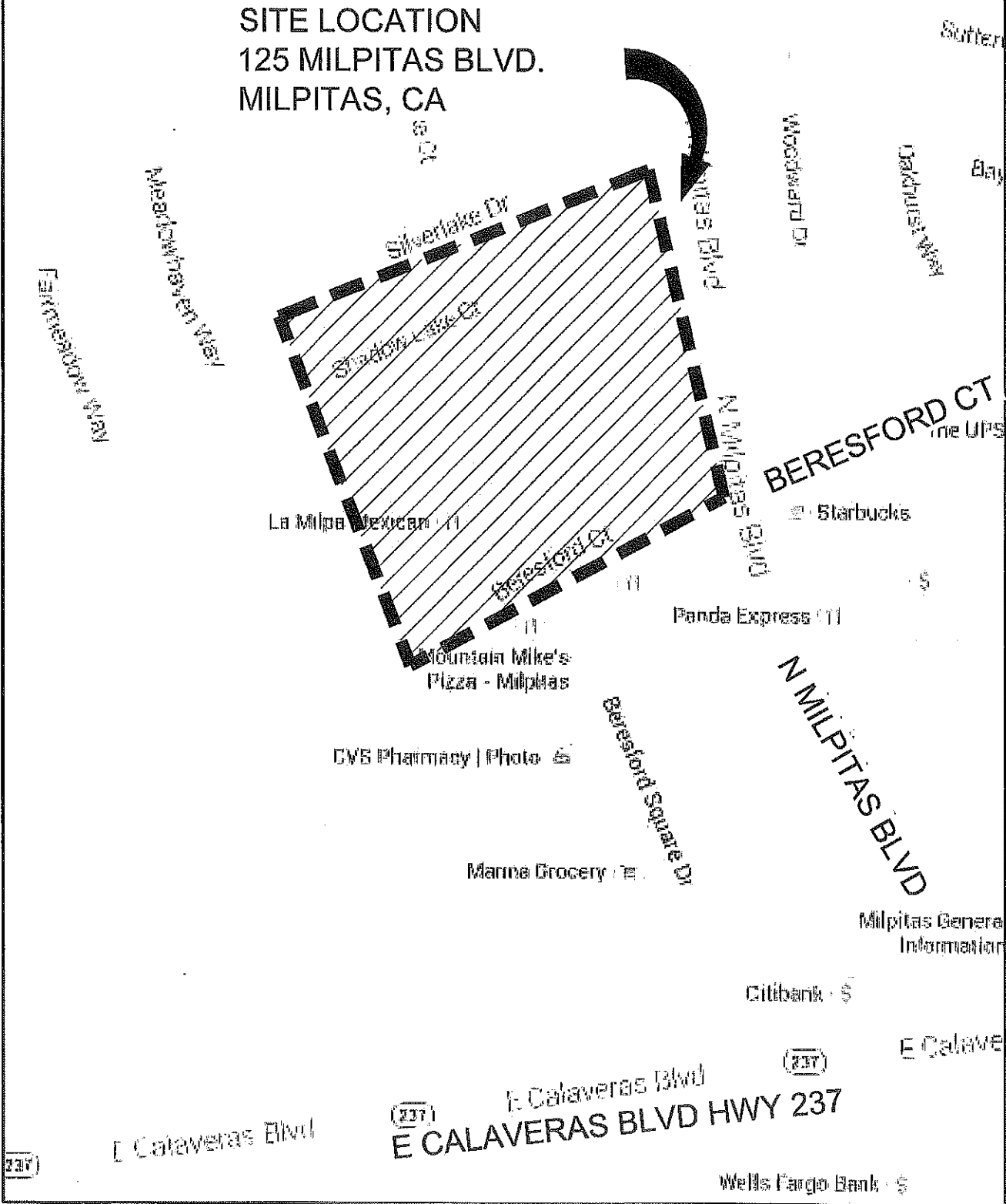
Please submit the Operation and Maintenance Inspection reports, Maintenance Plan, and Inspection and Maintenance checklist for each BMP to the following address:

City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035
Attn: Utility Engineer

Vicinity Map

ATTACHMENT K

SITE LOCATION
125 MILPITAS BLVD.
MILPITAS, CA



<p>architecture planning interiors graphics civil engineering</p> <p>2400 Camino Real, Suite 200 San Jose, California 95128 408.261.0930 408.261.0931</p>	<p>WARE MALCOMB Leading Design for Commercial Real Estate</p>	<p>PROJECT: OSH MILPITAS</p> <p>JOB NO.: SNR13-0052-00</p>	<p>DATE : 09-17-14</p> <p>SCALE: NTS</p>	<p>SHEET</p> <p>MAP</p>
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